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October 11, 2002

Via Electronic Submission

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Ex Parte Communication*
Revision of the Commission's Rules to Ensure Compatibility with
Enhanced 911 Emergency Calling Systems – City of Richardson,
CC Docket No. 94-102

Dear Ms. Dortch:

This letter serves as notification that on this date Luisa Lancetti and Charles McKee (representing Sprint Corporation), met with Bryan Tramont, Senior Legal Advisor to Chairman Powell, Cathy Hilke, Intern to Chairman Powell, John Branscome, Acting Legal Advisor to Commissioner Abernathy, and Sam Feder, Legal Advisor to Commissioner Martin, and separately with Paul Margie, Legal Advisor to Commissioner Copps.

The purpose of the meetings was to discuss the Petition for Reconsideration filed by Sprint in the above-captioned proceeding. Sprint urged the Commission to act in *Richardson* in a manner consistent with the views expressed by Sprint in this docket. The need for quick action, and adoption of a rule which will provide a rational and practical means of moving forward with Phase II deployment activity was addressed. Sprint distributed copies of its earlier filed *ex partes* in this docket, dated September 9 and 24, 2002. Sprint also provided brief information concerning the status of its deployment efforts. Attached is additional information regarding this issue, and Sprint's position.

Pursuant to Section 1.1206 of the Commission's rules, this letter is being electronically filed with your office. Please associate this letter with the file in the above referenced proceeding.

Respectfully submitted,



Luisa L. Lancetti

Attachment

cc: Bryan Tramont
Cathy Hilke
John Branscome
Samuel Feder
Paul Margie

Wireless Phase II E911 Service

(CC Docket No. 94-102)

The FCC Must Act to Ensure Availability of E911 Services

Sprint Corporation
Ex Parte Presentation
October 11, 2002

Sprint Is Ready to Deploy Phase II

- Sprint has completed deployment of all Phase II network upgrades and is prepared to launch Phase II services nationwide.
 - Sprint completed its network upgrades on June 14, 2002 – almost two months ahead of the schedule imposed by the *Waiver Order*.
 - Sprint was the first CMRS carrier to be 100% Phase II capable.
- Sprint currently offers customers ten different models of GPS handsets and all new models will be GPS capable.
 - Sprint has sold over 1.3 million GPS handsets since October 2001.
- Sprint has launched Phase II service for over 71 PSAPs – covering the State of Rhode Island; St. Claire County, IL, Bond County, IL, Delaware County, PA, Lake County, IN; testing is underway in preparation for commercial launch in 72 additional PSAPs serving Pinellas County, FL, Tarrant County, TX and Greater Harris County, TX
- LEC and PSAP readiness are the remaining factors impacting Sprint implementation of E911 Phase II service. Sprint submitted on Feb. 1, 2002 a detailed plan that would have converted all pending Phase II requests by the end of the year. Sprint's deployment schedule, however, has been disrupted by the failure of ALI database providers to upgrade their equipment. The FCC has been advised of this issue and the state of Sprint's deployment for more than a year.

The Richardson Order Should Be Revised

- The *Richardson Order* must be revised. Sprint proposes the following revised language to the current rule 20.18(j):
 - Where a PSAP has not completed all of the CPE and ALI database upgrades necessary to be capable of receiving and utilizing the data elements associated with Phase II service at the time of its request, the licensee shall begin delivering Phase II enhanced 911 service to the PSAP within six months of the request or within one hundred twenty (120) days after the PSAP is in fact capable of receiving and utilizing the data elements associated with Phase II service, whichever is later. Nothing in this rule shall prohibit PSAPs and licensees from reaching some other mutually agreeable implementation deadline.
- Sprint does *not* advocate retroactive application of this rule change, as suggested by NENA/APCO. For legal reasons, Sprint's compliance with the Waiver Order must be viewed under the current rule. Under the current rule, most PSAP requests are now invalid because the PSAP was not capable of receiving and utilizing Phase II data within six months of their request. Sprint will continue to pursue implementation of all requests, however, even if the six months has run; and the company will not require PSAPs to issue another request.
- Neither the Emergency Services Interconnection Forum (ESIF) nor any other private forum can resolve this rule issue. Likewise, it is inadequate to suggest that PSAPs may, at their discretion, determine whether wireless carriers comply with the rule. The FCC must address these issues as a matter of law.